

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
Tri-State Biodiesel, LLC
Plaintiff(s),

- v -

*Environmental Energy Recycling
Corp., LLC*
Defendant(s).
-----X

Case Management Plan

08 CV. 2997 (RMB)

The following Case Management Plan is entered after consultation with the parties. This Plan is also a Rule 16 and Rule 26(f) scheduling order as required by the Federal Rules of Civil Procedure.

- (i) Joinder of additional parties by N/A
- (ii) Amend the pleadings by 7/8/08
- (iii) All discovery to be **expeditiously** completed by 9/18/08
- (iv) Consent to Proceed before Magistrate Judge _____
- (v) Status of settlement discussions Initiated and ongoing 9/24/08 @ 10:00 AM

Sections vi through xi will be set at conference with the Court.

with principals

- (vi) Motions _____
- (vii) Oral Argument _____
- (viii) Joint Pre-Trial Order to be submitted by _____
- (ix) Final Pre-Trial Conference _____
- (x) Trial _____
- (xi) Other _____

SO ORDERED: New York, New York

5/19/08

RMB

Hon. Richard M. Berman, U.S.D.J.